

# Exhibit 2(F)

**Berry v. Hawaiian Express  
Trial Expert Costs**

<b>DATE</b>	<b>PAYOR</b>	<b>AMOUNT</b>
12/10/2004	Professor Phillip Johnson, M.D., expert fees	\$1,000.00
03/14/2005	Professor Philip Johnson, expert fees	\$1,300.00
04/28/2005	Thomas T. Ueno, CPA, expert fees	\$10,692.04
05/16/2005	Thomas Ueno, CPA, 4/01-30, 2005	\$130.21
06/02/2005	Thomas T. Ueno, CPA, expert fees	\$932.29
07/07/2005	Professor Philip Johnson, expert services	\$900.00
07/01/2005	Thomas T. Ueno, CPA, Expert Fees	\$1,080.02
09/01/2005	Thomas T. Ueno, CPA, Expert Fees	\$1,594.59
08/08/2005	Thomas T. Ueno, CPA, Expert Fees	\$1,332.02
10/07/2005	Thomas T. Ueno, CPA, Expert Fees	\$4,245.30
11/01/2005	Thomas T. Ueno, CPA, Expert Fees	\$1,059.08
12/01/2005	Thomas T. Ueno, CPA, Expert Fees	\$1,213.53
01/12/2006	Thomas T. Ueno, CPA, Expert Fees	\$6,151.92
02/01/2006	Thomas T. Ueno, CPA, Expert Fees	\$4,056.24
03/01/2006	Thomas T. Ueno, CPA, Expert Fees	\$4,481.31
03/07/2006	Thomas T. Ueno, CPA, Expert Fees	\$2,431.65
<b>TOTAL</b>		<b>\$42,600.20</b>

Lynch Ichida Thompson Kim &amp; Hirota A Law Corp.

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
27042-002	EXPERT FEES				1,000.00
CHECK DATE	CHECK NO.	PAYEE	DISCOUNTS TAKEN	CHECK AMOUNT	
12/10/04	2440	PHILIP JOHNSON, PH. D.			\$1,000.00

LYNCH ICHIDA THOMPSON KIM & HIROTA  
A LAW CORPORATION  
CLIENT TRUST ACCOUNT  
1132 BISHOP ST., STE. 1405 HONOLULU, HI 96813

CENTRAL PACIFIC BANK  
MAIN BRANCH  
220 SOUTH KING STREET  
HONOLULU, HAWAII  
59-157/1213

2440

PAY TO THE ORDER OF:  
One Thousand and 00/100 Dollars

PHILIP JOHNSON, PH. D.  
548 KAIMAKE LOOP  
KAILUA, HI 96734  
USA

CHECK NO.  
2440DATE  
Dec 10, 2004AMOUNT  
\*\*\*\*\*\$1,000.00

AUTHORIZED SIGNATURE

MP

⑈002440⑈ ⑆121301578⑆4000⑈131438⑈

 Security features. Details on back.

Lynch Ichida Thompson Kim &amp; Hirota A Law Corp.

2485

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
	27042-002 EXPERT FEES				1,300.00
CHECK DATE	CHECK NO.	PAYEE	DISCOUNTS TAKEN	CHECK AMOUNT	
3/14/05	2485	PHILIP JOHNSON, PH. D.			\$1,300.00

## LYNCH ICHIDA THOMPSON KIM &amp; HIROTA

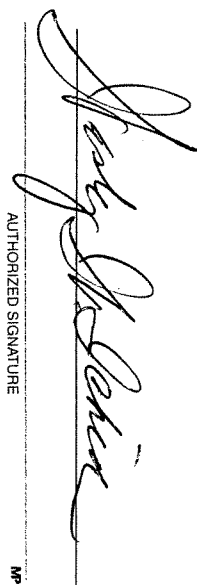
## A LAW CORPORATION

CLIENT TRUST ACCOUNT  
1132 BISHOP ST., STE. 1405 HONOLULU, HI 96813CENTRAL PACIFIC BANK  
MAIN BRANCH  
220 SOUTH KING STREET  
HONOLULU, HAWAII  
59-157/1213

2485

PAY  
TO THE  
ORDER  
OF:

One Thousand Three Hundred and 00/100 Dollars

PHILIP JOHNSON, PH. D.  
548 KAIMAKE LOOP  
KAILUA, HI 96734  
USACHECK NO.  
2485DATE  
Mar 14, 2005AMOUNT  
\*\*\*\*\*\$1,300.00


AUTHORIZED SIGNATURE

MP

⑈002485⑈ ⑆121301578⑆4000⑈131438⑈

Security features. Details on back.

INVOICE

June 17, 2005

Timothy Hogan  
Lynch, Ichida, Thompson, and Kim  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813  
Fax: 528-4997

Dear Mr. Hogan,

Here is my invoice for recent hours worked on the Berry Case.

Date	Description	Time	Charge
05/19/05	Deposition	3 hr.	\$600
06/07/05	Meeting at Hogan office	1.5 hr.	\$300
		Total	4.5 hr \$900

Thank you very much,



Philip Johnson  
548 Kaimake Loop  
Kailua, HI 96822

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
	BERRY, WAYNE- EXPERT FEES				900.00
CHECK DATE	CHECK NO.	PAYEE		DISCOUNTS TAKEN	CHECK AMOUNT
7/7/05	2558	PHILIP JOHNSON, PH. D.			\$900.00

LYNCH ICHIDA THOMPSON KIM & HIROTA  
A LAW CORPORATION  
CLIENT TRUST ACCOUNT  
1132 BISHOP ST., STE. 1405 HONOLULU, HI 96813

CENTRAL PACIFIC BANK  
MAIN BRANCH  
220 SOUTH KING STREET  
HONOLULU, HAWAII  
59-157/1213

2558

PAY  
TO THE  
ORDER  
OF:

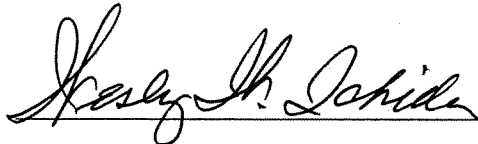
Nine Hundred and 00/100 Dollars

PHILIP JOHNSON, PH. D.  
548 KAIMAKE LOOP  
KAILUA, HI 96734  
USA

CHECK NO.  
2558

DATE  
Jul 7, 2005

AMOUNT  
\*\*\*\*\*\$900.00



AUTHORIZED SIGNATURE

Security features. Details on back.

⑈002558⑈ ⑆121301578⑆4000⑈131438⑈

## Thomas T. Ueno, CPA

---

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

March 30, 2005

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from March 1-30, 2005  
in connection with the Fleming matter

Professional Fees		\$10,265.00
	T. Ueno	39.00 hours
	C. Ueno	3.50 hours
	G. Hoe	52.50 hours

Late Charge 1%

Hawaii General Excise Tax (4.166%)		427.64
	Current Invoice Amount	<u><u>\$10,692.64</u></u>

Unpaid balances over 30 days subject to 1% late fees per month.

**Timesheet**

Consultant T. Ueno  
Matter Fleming

3/8/05	1.5	initial meeting with T Hogan, background and identified materials
3/10/05	4.0	reviewing materials sent to us by Berry
3/11/05	3.5	reviewing materials and identifying documents needed.
3/14/05	4.8	reviewing client damage calculation, research damages, develop alternative methodology
3/15/05	6.3	reviewing depositions, review damage calculation spreadsheets, discuss savings from use of software with Berry.
3/16/05	7.5	review the system modules and savings that API and Fleming realized from the use of the system. Meeting with Berry and Hogan.
3/17/05	7.0	discussed fees and scope with T. Hogan. Requested documents. Discussed status of work. Developing background section. Updating license fee analysis.
3/18/05	2.0	review report
3/21/05	2.5	review report
	<u>39.0</u>	



**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
		review rules regarding damages from intellectual property, and Berry's 3rd supplemental disclosure
3/9/05	3.00	of damages Review docs provided by W. Berry. \$1763 per container, shared savings memo, end user lic.
3/10/05	5.50	Agreement,
3/14/05	5.00	Interview W. Berry, analysis of "GET" filings, and docs provided by W. Berry C&S research, review docs provided by W. Berry, interview W. Berry, review 2nd am. Complaint,
3/15/05	6.75	analyze cost per container, prep for meeting Meet w/T.Hogan and W. Berry, analyze reports produced by Berry's system, calculate royalty fees,
3/16/05	6.75	research wholesaler ratios, calculate disgorgement damages calculate past losses (gross profit), review C&S BK purchase filings. Research Internal Rate of
3/17/05	7.25	Return for grocery wholesalers. Draft report
3/18/05	6.75	Calculate savings per container, draft report
3/19/05	6.50	Draft report
3/21/05	5.00	draft and finalize report, prepare exhibits
	<u>52.50</u>	

**Timesheet**

Consultant: Carole Ueno

Matter: Fleming

3/19/2005	2.5 review report
3/21/2005	1 review report
	<u>3.5</u>

# LYNCH ICHIDA THOMPSON KIM & HIROTA

A LAW CORPORATION

MAILE M. HIROTA  
WESLEY W. ICHIDA  
ANN C. KEMP  
STEVEN J. KIM  
PAUL A. LYNCH  
WILLIAM "Buzz" THOMPSON III

1132 BISHOP STREET, SUITE 1405  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 528-0100  
FACSIMILE (808) 528-4997

*Counsel*  
TIMOTHY J. HOGAN  
-----  
*Of Counsel*  
GREG TURNBULL, MA

## TRANSMITTAL

April 28, 2005

TO: Thomas T. Ueno, CPA  
844 Queen Street  
Honolulu, Hawaii 96813

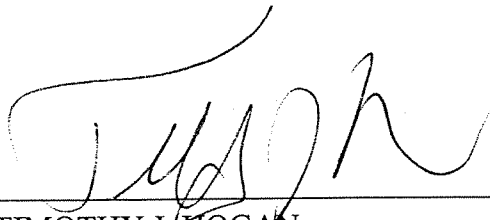
RE: WAYNE BERRY

We are sending you the following documents:

Check No. 2515 (dated 4/28/05) made payable to Thomas T. Ueno, CPA for \$10,692.64 for professional services.

(X) Payment of invoice dated 3/30/05.

REMARKS:

  
\_\_\_\_\_  
TIMOTHY J. HOGAN

Enclosure

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
	FOR PROFESSIONAL SERVICES				10,692.64
CHECK DATE	CHECK NO.	PAYEE		DISCOUNTS TAKEN	CHECK AMOUNT
4/28/05	2515	THOMAS T. UENO, CPA			\$10,692.64

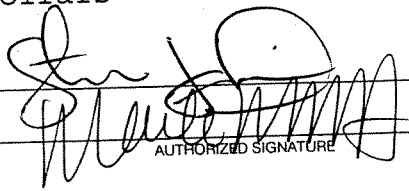
LYNCH ICHIDA THOMPSON KIM & HIROTA  
A LAW CORPORATION  
CLIENT TRUST ACCOUNT  
1132 BISHOP ST., STE. 1405 HONOLULU, HI 96813

CENTRAL PACIFIC BANK  
MAIN BRANCH  
220 SOUTH KING STREET  
HONOLULU, HAWAII  
59-157/1213

2515

CHECK NO. 2515      DATE Apr 28, 2005      AMOUNT \*\*\*\$10,692.64

PAY TO THE ORDER OF: Ten Thousand Six Hundred Ninety-Two and 64/100 Dollars  
THOMAS T. UENO, CPA  
844 QUEEN STREET  
HONOLULU, HI 96813  
USA

  
AUTHORIZED SIGNATURE

⑈002515⑈ ⑆121301578⑆4000⑈131438⑈

## Thomas T. Ueno, CPA

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

May 4, 2005

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from April 1-30, 2005  
in connection with the Fleming matter

Professional Fees		\$125.00
T. Ueno	1.00 hours	
C. Ueno	- hours	
G. Hoe	- hours	

Late Charge 1%

Hawaii General Excise Tax (4.166%)

	5.21
Current Invoice Amount	<u>\$130.21</u>

CLIENT/CASE: 27042-2  
CLIENT NAME: Benny Wayne  
CASE NAME: HFC  
APPROVED: [Signature]

Unpaid balances over 30 days subject to 1% late fees per month.

## Thomas T. Ueno, CPA

---

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

June 2, 2005

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from May 1-31, 2005  
in connection with the Fleming matter

Professional Fees		\$895.00
	T. Ueno	4.50 hours
	G. Hoe	3.50 hours
Late Charge 1%		-
Hawaii General Excise Tax (4.166%)		37.29
	Current Invoice Amount	<u>\$932.29</u>

Unpaid balances over 30 days subject to 1% late fees per month.

**Timesheet**

Consultant T. Ueno

Matter Fleming

5/24/05	4.5	review documents supporting loan repayment and numbers of containers, researching C&S,
---------	-----	--

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
5/10/05	2.00	Depo prep
5/13/05	0.50	Depo prep
5/16/05	0.25	Cross reference report
5/17/05	0.50	Depo prep
5/21/05	0.25	Review other logistics software being marketed
	<u>3.50</u>	



**Thomas T. Ueno, CPA**

844 Queen Street  
 Honolulu, Hawaii 96813  
 Fax 808 591-0813  
 Telephone 808 591-0441  
 E Mail imattu@msn.com

July 1, 2005

Timothy J. Hogan, Esquire  
 Lynch Ichida Thompson & Kim  
 First Hawaiian Tower  
 1132 Bishop Street, Suite 1405  
 Honolulu, HI 96813

For professional services rendered from June 1-30, 2005  
 in connection with the Fleming matter

Professional Fees		\$1,027.50
-------------------	--	------------

T. Ueno	1.00 hours
G. Hoe	9.50 hours

Late Charge 1%	9.32
----------------	------

Hawaii General Excise Tax (4.166%)	43.19
------------------------------------	-------

Current Invoice Amount	\$1,080.02
Previous Balance	\$932.29
Total Amount Due	<u>\$2,012.30</u>

Unpaid balances over 30 days subject to 1% late fees per month.

**Timesheet**

Consultant T. Ueno

Matter Fleming

6/30/05 1.0 review preliminary rebuttal comments

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
6/6/2005	0.30	Draft report
6/22/2005	2.75	Review J. Kinrich report
6/23/2005	1.50	Draft rebuttal report
6/24/2005	1.75	Draft rebuttal report, research Kinrich background
6/27/2005	2.00	Draft rebuttal report
6/28/2005	1.20	draft report
	<u>9.50</u>	

# LYNCH ICHIDA THOMPSON KIM & HIROTA

A LAW CORPORATION

MAILE M. HIROTA  
WESLEY W. ICHIDA  
ANN C. KEMP  
STEVEN J. KIM  
PAUL A. LYNCH  
WILLIAM "Buzz" THOMPSON III

1132 BISHOP STREET, SUITE 1405  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 528-0100  
FACSIMILE (808) 528-4997

*Counsel*  
TIMOTHY J. HOGAN

*Of Counsel*  
GREG TURNBULL, Psy.D

## TRANSMITTAL

July 20, 2005

TO: Thomas T. Ueno, CPA  
844 Queen Street  
Honolulu, Hawaii 96813

Hand Delivered

RE: WAYNE BERRY

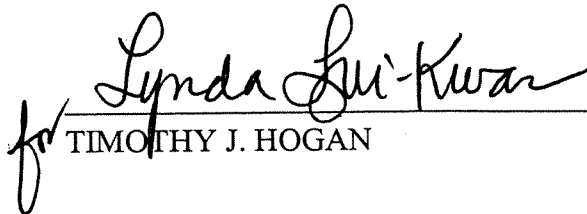
We are sending you the following documents:

Check No. 2567 (dated 7/20/05) made payable to Thomas T. Ueno, CPA for \$2,012.30  
for professional services.

(X) Payment of invoice dated 7/1/05

REMARKS:

Enclosure

  
for TIMOTHY J. HOGAN

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
27042-002	SERVICES RENDERED				2,012.30
CHECK DATE	CHECK NO.	PAYEE	DISCOUNTS TAKEN	CHECK AMOUNT	
7/20/05	2567	THOMAS T. UENO, CPA			\$2,012.30

**LYNCH ICHIDA THOMPSON KIM & HIROTA**  
**A LAW CORPORATION**  
 CLIENT TRUST ACCOUNT  
 1132 BISHOP ST., STE. 1405 HONOLULU, HI 96813

CENTRAL PACIFIC BANK  
 MAIN BRANCH  
 220 SOUTH KING STREET  
 HONOLULU, HAWAII  
 59-157/1213

2567

Two Thousand Twelve and 30/100 Dollars

CHECK NO.  
2567DATE  
Jul 20, 2005AMOUNT  
\*\*\*\*\*\$2,012.30

THOMAS T. UENO, CPA  
 844 QUEEN STREET  
 HONOLULU, HI 96813  
 USA

AUTHORIZED SIGNATURE

⑈002567⑈ ⑆121301578⑆4000⑈131438⑈



Security features. Details on back.

**Thomas T. Ueno, CPA**

844 Queen Street  
 Honolulu, Hawaii 96813  
 Fax 808 591-0813  
 Telephone 808 591-0441  
 E Mail imattu@msn.com

July 1, 2005

Timothy J. Hogan, Esquire  
 Lynch Ichida Thompson & Kim  
 First Hawaiian Tower  
 1132 Bishop Street, Suite 1405  
 Honolulu, HI 96813

For professional services rendered from June 1-30, 2005  
 in connection with the Fleming matter

Professional Fees		\$1,027.50
	T. Ueno	1.00 hours
	G. Hoe	9.50 hours
Late Charge 1%		9.32
Hawaii General Excise Tax (4.166%)		43.19
Current Invoice Amount		<u>\$1,080.02</u>
Previous Balance		<u>\$932.29</u>
Total Amount Due		<u><u>\$2,012.30</u></u>

Unpaid balances over 30 days subject to 1% late fees per month.

Jo Glen  
 7/19/05

**Timesheet**  
**Consultant** T. Ueno  
**Matter** Fleming

6/30/05 1.0 review preliminary rebuttal comments

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
6/6/2005	0.30	Draft report
6/22/2005	2.75	Review J. Kinrich report
6/23/2005	1.50	Draft rebuttal report
6/24/2005	1.75	Draft rebuttal report, research Kinrich background
6/27/2005	2.00	Draft rebuttal report
6/28/2005	1.20	draft report
	<u>9.50</u>	



## Thomas T. Ueno, CPA

---

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

August 8, 2005

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from July 1-31, 2005  
in connection with the Fleming matter

Professional Fees		\$1,278.75
	T. Ueno	7.00 hours
	G. Hoe	4.25 hours
Late Charge 1%		-
Hawaii General Excise Tax (4.166%)		53.27
	Current Invoice Amount	<u>\$1,332.02</u>

Unpaid balances over 30 days subject to 1% late fees per month.

**Timesheet**

Consultant T. Ueno

Matter Fleming

7/11/05 4.0 review report and prior documents.

7/21/05 3.0 depo prep

7.0

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
7/11/05	1.00	depo prep
7/20/05	1.25	depo prep
7/21/05	2.00	disc with T.U. report; depo
	<u>4.25</u>	

## Thomas T. Ueno, CPA

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

September 1, 2005

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from August 1-31, 2005  
in connection with the Fleming matter

Professional Fees		\$1,517.50
-------------------	--	------------

T. Ueno	11.00 hours
G. Hoe	1.50 hours

Late Charge 1%	13.32
----------------	-------

Hawaii General Excise Tax (4.166%)	63.77
------------------------------------	-------

Current Invoice Amount	\$1,594.59
Previous Balance	1,332.02
Total Amount Due	<u>\$2,926.62</u>

Unpaid balances over 30 days subject to 1% late fees per month.

*e-mailed a/8/05  
+ w/c*

**Timesheet**

Consultant T. Ueno

Matter Fleming

8/9/05		provided billing information and emails to T. Hogan
8/10/05	1.0	review depo transcript
8/29/05	3.5	review motions submitted by opposing parties regarding damages and discuss with T Hogan.
8/30/05	5.0	review and analyze sales data for Hawaii
8/31/05	1.5	savings analysis and Hawaii sales
	11.0	

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
8/25/2005	0.50	Review defendant PCT's motion for partial summary judgement
8/30/2005	1.00	Review Fleming financial information forwarded by T. Hogan
	<u>1.50</u>	

## Thomas T. Ueno, CPA

---

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

October 7, 2005

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from September 1-30, 2005  
in connection with the Fleming matter

Professional Fees		\$4,046.25
-------------------	--	------------

T. Ueno	30.50 hours
C. Ueno	1.00 hours
G. Hoe	1.25 hours

Late Charge 1%	29.27
----------------	-------

Hawaii General Excise Tax (4.166%)	169.79
Current Invoice Amount	4,245.30
Previous Balance	2,926.62
Total Amount Due	<u><u>\$7,171.92</u></u>

Unpaid balances over 30 days subject to 1% late fees per month.

**Timesheet**

Consultant T. Ueno  
Matter Fleming

9/1/05	5.5	reviewing the cost components used by Kinrich in his schedule of profits and losses. Review savings analyses.
9/2/05	6.0	ip damages research. Analyzing Kinrich arguments. Analyzing supporting documents.
9/5/05	3.5	developing section on Fleming's ability to secure allowances and its payment of the license fee.
9/6/05	2.5	reviewing complaints regarding accounting issues for 2001 and 2002
9/8/05	5.5	disucss status with T Hogan. Researching and summarizing comments.
9/9/05	7.0	working draft of declaration and supporting attachments
9/12/05	0.5	review declaration
	<u>30.5</u>	



**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
9/9/05	1.25	Review Nimmer document, rebuttal declaration

**Timesheet**

Consultant: Carole Ueno

Matter: Fleming

9/9/2005          1 review tu declaration

## Thomas T. Ueno, CPA

---

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail imattu@msn.com

November 1, 2005

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from October 1-31, 2005  
in connection with the Fleming matter

Professional Fees		\$945.00
	T. Ueno	2.50 hours
	C. Ueno	5.50 hours
	G. Hoe	- hours

Late Charge 1%	71.72
----------------	-------

Hawaii General Excise Tax (4.166%)	42.36
Current Invoice Amount	<u>1,059.08</u>
Previous Balance	<u>\$7,171.92</u>
Total Amount Due	<u><u>\$8,230.99</u></u>

Unpaid balances over 30 days subject to 1% late fees per month.

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
10/3/05	0.50	Review Kinrich's 3rd report
10/10/05	2.75	Draft rebuttal to Kinrich Oct report
10/12/05	2.25	Draft rebuttal to Kinrich Oct report
	<u>5.50</u>	

**Timesheet**

Consultant T. Ueno

Matter Fleming

10/3/05      2.5    review and comment on Kinrich's rebuttal report. Discussed with T Hogan.  
Assigned work to G Hoe.

*mailed 11/30/05*

**Lynch Ichida Thompson Kim & Hirota A Law Corp.**

**2631**

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
	27042-002 FOR SERVICES				8,230.99
CHECK DATE	CHECK NO.	PAYEE	DISCOUNTS TAKEN	CHECK AMOUNT	
11/30/05	2631	THOMAS T. UENO, CPA			\$8,230.99

**LYNCH ICHIDA THOMPSON KIM & HIROTA**  
**A LAW CORPORATION**  
 CLIENT TRUST ACCOUNT  
 1132 BISHOP ST., STE. 1405 HONOLULU, HI 96813

CENTRAL PACIFIC BANK  
 MAIN BRANCH  
 220 SOUTH KING STREET  
 HONOLULU, HAWAII  
 59-157/1213

**2631**

PAY  
 TO THE  
 ORDER  
 OF:

THOMAS T. UENO, CPA  
 844 QUEEN STREET  
 HONOLULU, HI 96813  
 USA

Eight Thousand Two Hundred Thirty and 99/100 Dollars

CHECK NO.  
 2631

DATE  
 Nov 30, 2005

AMOUNT  
 \*\*\*\*\*\$8,230.99

*Handwritten Signature*  
 AUTHORIZED SIGNATURE

"002631" :121301578:4000 131438"

## Thomas T. Ueno, CPA

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

December 1, 2005

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from November 1-30, 2005  
in connection with the Fleming matter

Professional Fees		\$1,165.00
-------------------	--	------------

T. Ueno	4.00 hours
G. Hoe	7.00 hours

Late Charge 1%

-

Hawaii General Excise Tax (4.166%)

48.53

Current Invoice Amount

1,213.53

Unpaid balances over 30 days subject to 1% late fees per month.

*to sea  
12/29/05  
lee*

**Timesheet**

Consultant T. Ueno

Matter Fleming

11/17/05 3.0 discuss causation issues and damages issues with T Hogan. Analyzing  
production data.

11/30/05 1.0 review findings using shipping data

4.0



**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
11/28/05	0.75	Review T.Noa spreadsheet data
11/29/05	3.00	Analyze containters sent between 4/03 and 6/03, Analyze Foodland shipments, and logistic department proposals from T.Noa
11/30/05	3.25	Analyze weight shipped between 4/03 and 6/03, calculate KMART volume and invoice amounts
	<u>7.00</u>	

## Thomas T. Ueno, CPA

---

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

January 12, 2006

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from December 1-31, 2005  
in connection with the Fleming matter

Professional Fees		\$5,893.75
	T. Ueno	31.00 hours
	G. Hoe	21.25 hours
Late Charge 1%		12.14
Hawaii General Excise Tax (4.166%)		246.04
	Current Invoice Amount	6,151.92
	Previous Balance	1,213.53
	Total Amount Due	<u>\$7,365.46</u>

Unpaid balances over 30 days subject to 1% late fees per month.

**Timesheet**

Consultant T. Ueno  
 Matter Fleming

12/2/05	2.5	discuss status and objectives with Hogan. Discuss analyses and findings with G Hoe. Reviewing files and data bases.
12/5/05	2.5	identifying exhibits and computations of sales.
12/9/05	2.0	reviewing list of functions, developing spreadsheet analysis, review reports
12/12/05	1.5	analyzing trial balance data, summarizing and preparing balance sheet entries
12/14/05	3.0	researching critical functions of a grocery wholesaler. Reviewing functions of Berry's FCS. Not an expenses or just an information gathering software. Performed customer services functions.
12/15/05	3.0	developing exhibits, transmit to W Berry.
12/16/05	4.0	working on exhibits, tel W Berry
12/19/05	1.5	developing exhibits, financial analysis based on Kinrich exhibits
12/20/05	2.5	reviewing financial analysis of sales, etc., work on exhibits
12/21/05	3.0	work on exhibits, review organization chart and update exhibit of functions, review financial data
12/22/05	3.0	review financial data, damages from Hawaiian Express
12/27/05	2.0	review and comment on exhibits.
12/28/05	0.5	review Kinrich exhibits and sent comments to Hogan.
	<u>31.0</u>	

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
12/5/2005	1.25	Analyze 4/6/03-6/03 revenues. Draft list of exhibits. Calculate relationship between sales and weight transported
12/8/2005	0.25	review Core Mark 10Q
12/9/2005	1.00	Review general ledger and T. Noa documents
12/14/2005	1.00	review DHX testimony. Review API purchase agreement, logistics functions as they relate to operations
12/15/2005	0.75	prepare trial exhibits
12/16/2005	1.50	draft supplement. Prepare trial exhibits
12/19/2005	5.25	calculate freight forwarding revenues for KMART and Foodland
12/20/2005	4.00	Prep documents and exhibits for trial. Draft supplement
12/21/2005	0.25	teleconf w/W. Berry to discuss Fleming loading ports and freight forwarding
12/22/2005	1.75	reconcile fields of Berry's FCS, Record ID, Job ID and Order ID
12/27/2005	2.25	review trial exhibits, finalize supplement
12/28/2005	2.00	review Kinrich rebuttal slides
	<u>21.25</u>	

T218 w/c

---

Thomas T. Ueno, CPA

---

844 Queen Street  
 Honolulu, Hawaii 96813  
 Fax 808 591-0813  
 Telephone 808 591-0441  
 E Mail imattu@msn.com

February 1, 2006

Timothy J. Hogan, Esquire  
 Lynch Ichida Thompson & Kim  
 First Hawaiian Tower  
 1132 Bishop Street, Suite 1405  
 Honolulu, HI 96813

For professional services rendered from January 1-31, 2006  
 in connection with the Fleming matter

Professional Fees		\$3,832.50
	T. Ueno	28.00 hours
	G. Hoe	3.50 hours
Late Charge 1%		61.52
Hawaii General Excise Tax (4.166%)		162.22
	Current Invoice Amount	4,056.24
	Previous Balance	7,365.46
	Payment received, Jan 18, 06	(1,213.53)
	Total Amount Due	<u>\$11,421.70</u>

Unpaid balances over 30 days subject to 1% late fees per month.

**Timesheet**

Consultant T. Ueno  
Matter Fleming

1/16/06	1.0	reviewing and developing response to motion eliminate
1/17/06	3.0	reviewing report. Discussions with T Hogan.
1/18/06	1.5	review report, follow up on API claim with W Berry.
1/19/06	1.0	reviewing documents for trial
1/20/06	4.0	reviewing documents for trial
1/21/06	2.0	trial prep, review documents and develop script for arguments
1/22/06	3.0	depo prep, cross reference documents
1/23/06	6.0	depo prep, develop schedule for KMART work. Trial prep.
1/24/06	4.0	trial prep, cross ref docs, read Borja's depo
1/25/06	2.0	discuss status and next steps with T Hogan, read my depo transcript
1/26/06	0.5	review MORs of Fleming
	<u>28.0</u>	

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
1/23/2006	2.50	Depo prep, update damage calculation
1/24/2006	1.00	Review Borja deposition transcript
	<u>3.50</u>	

## Thomas T. Ueno, CPA

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

March 1, 2006

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from February 1-28, 2006  
in connection with the Fleming matter

Professional Fees		\$4,200.00
-------------------	--	------------

T. Ueno	26.00 hours
G. Hoe	10.00 hours

Late Charge 1%	114.22
----------------	--------

Hawaii General Excise Tax (4.166%)	179.73
------------------------------------	--------

Current Invoice Amount	4,493.95
------------------------	----------

Previous Balance	\$11,421.70
------------------	-------------

Total Amount Due	<u>\$15,915.65</u>
------------------	--------------------

Unpaid balances over 30 days subject to 1% late fees per month.

*e-mailed & w/c  
to TOTH 3/7/06*



**Timesheet**

Consultant T. Ueno  
Matter Fleming

2/15/06	3.5	reviewing documents and reports
2/16/06	1.5	review depo and declaration and cross references
2/17/06	2.0	review Kinrich 2nd rebuttal. Discuss with G Hoe.
2/20/06	2.0	review issues with T. Hogan
2/25/06	1.5	review material, discuss fixing costs as additional damages with Hogan
2/26/06	1.5	review reports and other materials, research copyright damage components
2/27/06	7.0	review materials, discuss damage issues with T Hogan, request specific exhibits for trial
2/28/06	7.0	trial prep. Discussions with attorneys. Title 7 accounting.
	<u>26.0</u>	

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
2/21/2006	4.25	Trial prep. Review and respond to Kinrich report. Analyze container counts, and shipping revenue
2/22/2006	4.00	Trial prep. Review and respond to Kinrich report. Analyze container counts, and shipping revenue
2/27/2006	1.50	Trial prep.
2/28/2006	0.25	Review Title 17, Section 504
	<u>10.00</u>	

## Thomas T. Ueno, CPA

844 Queen Street  
Honolulu, Hawaii 96813  
Fax 808 591-0813  
Telephone 808 591-0441  
E Mail [imattu@msn.com](mailto:imattu@msn.com)

March 1, 2006

Timothy J. Hogan, Esquire  
Lynch Ichida Thompson & Kim  
First Hawaiian Tower  
1132 Bishop Street, Suite 1405  
Honolulu, HI 96813

For professional services rendered from February 1-28, 2006  
in connection with the Fleming matter

Professional Fees		\$4,200.00
-------------------	--	------------

T. Ueno	26.00 hours
G. Hoe	10.00 hours

Late Charge 1%	114.22
----------------	--------

Hawaii General Excise Tax (4.166%)	179.73
------------------------------------	--------

Current Invoice Amount	4,493.95
Previous Balance	\$11,421.70
Total Amount Due	<u>\$15,915.65</u>

Unpaid balances over 30 days subject to 1% late fees per month.

*e-mailed & w/c  
to TJD 3/7/06*

**Timesheet**

Consultant T. Ueno  
Matter Fleming

2/15/06	3.5	reviewing documents and reports
2/16/06	1.5	review depo and declaration and cross references
2/17/06	2.0	review Kinrich 2nd rebuttal. Discuss with G Hoe.
2/20/06	2.0	review issues with T. Hogan
2/25/06	1.5	review material, discuss fixing costs as additional damages with Hogan
2/26/06	1.5	review reports and other materials, research copyright damage components
2/27/06	7.0	review materials, discuss damage issues with T Hogan, request specific exhibits for trial
2/28/06	7.0	trial prep. Discussions with attorneys. Title 7 accounting.
	<u>26.0</u>	

**Timesheet**

Consultant: Garret Hoe

Matter: Berry v Fleming

Date	Hours	
2/21/2006	4.25	Trial prep. Review and respond to Kinrich report. Analyze container counts, and shipping revenue
2/22/2006	4.00	Trial prep. Review and respond to Kinrich report. Analyze container counts, and shipping revenue
2/27/2006	1.50	Trial prep.
2/28/2006	0.25	Review Title 17, Section 504
	<u>10.00</u>	